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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/135,024	08/17/1998	MAKI KATO	05905.0056	8790
22852	7590	09/11/2003	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW WASHINGTON, DC 20005			GOOD JOHNSON, MOTILEWA	
		ART UNIT	PAPER NUMBER	
		2672		

DATE MAILED: 09/11/2003

35

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/135,024	KATO ET AL.
	Examiner Motilewa A. Good-Johnson	Art Unit 2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 August 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 17-21,24,25 and 28 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 17-21,24,25 and 28 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

 If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

 1. Certified copies of the priority documents have been received.

 2. Certified copies of the priority documents have been received in Application No. _____.

 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

 a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) Interview Summary (PTO-413) Paper No(s). _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

1. This action is in response to the following communications: Preliminary Amendment A, filed on 08/17/1998; IDS, paper # 7, filed on 07/09/1999; IDS, paper #8, filed on 09/01/1999; Election filed on 09/20/2000; Amendment B, filed on 02/08/2001; Amendment C, filed on 08/23/2001; IDS, paper #17, filed 10/30/2001; Amendment D, filed 02/06/2002; Amendment E, filed 05/02/2002; Amendment F, filed 11/13/2002; Amendment G, filed 04/29/2003; Supplement Amendment H, filed 08/12/2003..

2. Claims 17-21, 24, 25 and 28 are pending in this application. Claims 17 and 19 are independent claims. Claims 1-16, 22, 23, 26 and 27 have been canceled. Claims 17 and 19 have been amended.

3. The present title of this application is "Data Processing Apparatus and Processing Method and Medium Therefor" (as originally filed).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 17-21, 24, 25 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Ishikawa et al., U.S. Patent Number 6,317,130 B1, "Apparatus and Method for Generating Skeleton-Based Dynamic Picture Images as well as Medium Storing therein Program for Generation of Such Picture Images", class 345/473, 11/13/2001, filed 10/29/1997.

As per independent claim 17, a data processing apparatus having a processor for positioning a game character on a display, said apparatus comprising: a game character model, including a reference polygon and component polygons, wherein no other polygons are included between said reference polygons and said component polygons; (Ishikawa discloses in abstract an animation character represented by polygons having no joints and no bones, see also figure 6 and 12) a motion data table for storing motion data for executing a movement of the game character model, wherein motion data includes distance data and angle data; (Ishikawa discloses storing spatial data of skeletons as coupled together and calculating based on data a display position of the model associated with each skeleton, col. 2, lines 40-53) and a processor, wherein the processor computes the reference polygon at each of a plurality of trigger times corresponding to an occurrence of a predetermined scene based on position information of said reference polygon and motion data, places the reference polygon in a three-dimensional space, and directly places said component polygons for said reference polygon in the three-dimensional space based on the position information of

said reference polygon without computing any other polygons. (Ishikawa discloses a CPU, which operates to supply graphics data generation process with coordinate data of each polygon and receive each polygons 3D coordinate data shift and rotation amount, col. 9, lines 57-66)

With respect to dependent claim 18, . . . processor alienates said component polygons from said reference polygons. (Ishikawa discloses in figure 6, child, parent and root components of the skeleton and further discloses determine which polygons are related to or associated with which skeletons, col. 15, lines 1-67)

As per independent claim 19, it is rejected based upon similar rational as above independent claim 17.

With respect to dependent claim 20, a medium on which is stored a program for causing a computer to function as a processor and data system cited in any one of claims 17 through 19. (Ishikawa discloses a carrier medium to store and provide generation of skeletons to define relative positions of polygons of a character object, col. 6, lines 1-22)

With respect to dependent claim 21, wherein the motion data includes articulating components for the movement of the game character mode. (Ishikawa discloses skeleton data for the character to define position and movement, col. 4, lines 44-67)

With respect to dependent claim 24, said game character further comprises: a plurality of reference polygons. (Ishikawa discloses skeleton models made up of a predefined number of polygons, col. 2, lines 53-67)

With respect dependent claims 25 and 28, they are rejected based upon similar rational as above dependent claims 21 and 24 respectively.

Response to Amendment

6. Applicant's arguments with respect to claims 17-21, 24, 25 and 28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6,320,988 B1 Yamaguchi et al. 382/276 11/20/2001 11/17/1997

Skeleton model shape transformation method, image synthesizing apparatus, and information storage medium.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Motilewa A. Good-Johnson
Examiner
Art Unit 2672

mgj
September 4, 2003